

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below-named inventor, I hereby declare that:

My residence and correspondence address, and citizenship, are as stated below next to my name and signature.

I believe I am the original, first, and sole inventor of the subject matter which is claimed and for which a U.S. patent is sought on the invention entitled **SUBUNGUICIDE, AND METHOD FOR TREATING ONYCHOMYCOSIS**, the specification of which is filed herewith.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a), and to the extent this application is a continuation-in-part application, I acknowledge the duty to disclose such information which became available between the filing dates of the prior application and the instant application.

Priority Claim: I hereby claim priority under 35 U.S.C. § 119, § 120, § 121, and/or § 365 as applicable to the following application(s): 60/414,012, filed September 27, 2002.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith: Bradley N. Ruben, Reg. No. 32,058.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: Jay E. Birnbaum

Inventor's Signature: Jay E. Birnbaum Date: 9/24/03
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